

Application No. 10/813,523
Amendment dated March 29, 2006
Reply to Office Action of December 12, 2005

Amendment to the Drawing(s)

Figure 12 has been replaced. A replacement sheet of the drawing is attached.

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REMARKS

Claims 1-22 are pending. Claims 2 and 4 are cancelled, and claims 23 and 24 are added herein. Accordingly, claims 1, 3, and 5-24 are issue.

Initially, applicants, by way of their undersigned attorney, wishes to thank the Examiner for the courtesies extended during the telephonic discussion on May 10, 2006, in connection with this application. In the discussion, it was noted that FIG. 12 in the filed application is an erroneous duplication of FIG. 10. As fully described in the application in paragraphs [0058]-[0062], the main difference between the airbag device 420 that was to be shown in FIG. 12 and the airbag device 320 of FIG. 10 is the location of the retainer 128 relative to the handlebar 104. As described, airbag device 420 has the retainer disposed forwardly of the handlebar 104 with the second structural portion of the airbag extending in the forward/backward direction astride the central portion 104a of the handlebar. A substitute FIG. 12 showing this fully described arrangement is filed herewith. It is submitted that no new matter is added as the application fully supports the airbag device 420 shown in the substitute FIG. 12 filed herewith.

Claims 1-22 stand rejected under 35 U.S.C. §102(b) as anticipated by JP2002-137777 to Tajima.

The rejection, as it may apply to the claims presented herein, is respectfully traversed.

Claim 1 is directed to an airbag device including an airbag and an inflator operable to inflate the airbag. Amended claim 1 calls for a retainer in which the inflator and a first portion of the airbag are contained. A second portion of the airbag is disposed outside the retainer prior to airbag deployment. A mount between the second airbag portion and vehicle is provided for securing the second airbag portion to the vehicle. It is submitted that Tajima fails to disclose or suggest

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the recited first and second portions of the airbag in terms of their location in a retainer in which an inflator is contained, as required in amended claim 1.

Tajima shows a relatively standard structure for an airbag device where there is a retainer in which both an inflator 41 and a stowed airbag 11 are contained. Although the retainer and airbag are in different size compartments in the retainer separated by a gas directing slotted panel 17, Tajima still does not teach a retainer in which the inflator and a first portion of the airbag are contained, and a second portion of the airbag that is disposed outside the retainer prior to airbag deployment. If the retainer is viewed as the portion 47 in which the inflator is contained, then Tajima clearly lacks a first portion of the airbag also contained therein, as required in claim 1. If the entire retainer is properly considered as such, then Tajima clearly lacks a second portion of the airbag that is disposed outside the retainer prior to airbag deployment, as required in amended claim 1. Accordingly, it is believed claim 1, and claims 3 and 5-13, which depend cognately therefrom, are allowable over Tajima.

Claim 14 is directed to an airbag device for a motorcycle having a body and a handlebar. The motorcycle airbag device includes an airbag and an inflator operable to inflate the airbag. A retainer for the inflator is mounted to the motorcycle body. As amended, claim 14 calls for at least a portion of the airbag extending external of the retainer prior to airbag deployment. Amended claim 14 further requires that the external airbag portion be secured to least one of the motorcycle body and handlebar separate from the mounting of the retainer to the motorcycle body. Tajima fails to disclose or suggest the recited airbag portion that extends external of the retainer prior to airbag deployment and which is secured to at least one of the motorcycle body and handle bar separate from the mounting of the retainer to the motorcycle body, as called for in amended claim 14.

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Tajima does not have a portion of the airbag 11 extending external of the retainer with the external airbag portion being secured to at least one of the motorcycle body and handlebar separate from the mounting of the retainer to the motorcycle body. Even if the structure 47 is viewed as the retainer such that the airbag extends external therefrom, the structure 47 is secured to the motorcycle via the mount 57, and the airbag 11 is not secured to either the motorcycle body or handlebar separate from the mount 57. The airbag 11 is secured in the upper portion of the retainer, but Tajima only shows the mount 57 securing the retainer and airbag therein to the motorcycle. Accordingly, it is believed claim 14, and claims 15-24 which depend cognately therefrom, are allowable over Tajima.

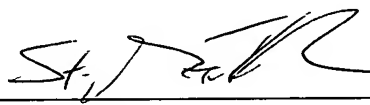
Based on the foregoing, reconsideration and allowance of claims 1, 3, 5-22, and consideration and allowance of claims 23 and 24, are respectfully requested.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

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By



Stephen S. Favakeh
Registration No. 36,798

120 South LaSalle Street
Suite 1600
Chicago, Illinois 60603-3406
Telephone 312.577.7000
Facsimile 312.577.7007